

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:21-cv-00314-MR**

OMAR DUPRAZ CRITTINGTON,

Plaintiff,

vs.

GARRY L. MCFADDEN, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court sua sponte.

The pro se Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983 addressing incidents that allegedly occurred while he was a pretrial detainee at the Mecklenburg County Detention Center.¹ [Doc. 1]. The Complaint passed initial review on claims against Defendants Byrum, Jhonson, D. Davis, Durrah, Jarreal, and McFadden, and the remaining claims were dismissed. [Doc. 18]. The Plaintiff was granted 30 days to amend the Complaint. He was informed that, if he failed to do so, the matter would proceed solely on as to the Defendants and claims identified in the Order on initial review. [Id.].

¹ The Plaintiff is no longer incarcerated.

The time to amend has expired, and no Amended Complaint has been filed. Therefore, the matter will proceed solely against the foregoing Defendants on the claims identified in the Order on initial review. In light of the Court's determination that this case passes initial review, the Plaintiff will be required to fill out and return summons forms for service of process on those Defendants within fourteen (14) days of this Order pursuant to Rule 4(e). Once the Court receives the completed summons forms, the Clerk shall then direct the USMS to effectuate service on Defendants Byrum, Jhonson, D. Davis, Durrah, Jarreal, and McFadden. Failure to timely comply with this Order will result in the dismissal of the relevant Defendant(s) from this action without prejudice and without further notice. Should the Plaintiff fail to return any of the summons forms, the action will be dismissed in its entirety without prejudice and without further notice.

IT IS, THEREFORE, ORDERED that:

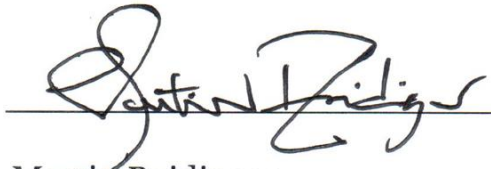
(1) The Plaintiff shall fill out and return summons forms for service of process on Defendants Byrum, Jhonson, D. Davis, Durrah, Jarreal, and McFadden, within **fourteen (14) days** of this Order.² Failure to timely comply with this Order will result in the

² Summons forms may be found on the Court's website, <https://www.ncwd.uscourts.gov/local-forms/civil-forms>.

dismissal of the relevant Defendant(s), or the dismissal of this action in its entirety, without prejudice and without further notice.

- (2) Once the Court receives the completed summons forms, the Clerk shall then direct the USMS to effectuate service on Defendants Byrum, Jhonson, D. Davis, Durrah, Jarreal, and McFadden.

IT IS SO ORDERED. Signed: March 4, 2022



Martin Reidinger
Chief United States District Judge

